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7 Attorney for Kirk Ormand Davis

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11

12 Plaintiff,

13 v.

14 KIRK ORMAND DAVIS,
15

Defendant.

Case No. 2:12-cr-00373-GMN-VCF

STIPULATION TO VACATE
STATUS CONFERENCE
(First Request)

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17 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,
18 United States Attorney, and Daniel J. Cowhig, Assistant United States Attorney, counsel for
19 the United States of America, and Rene L. Valladares, Federal Public Defender, and Joy Chen,
20 Assistant Federal Public Defender, counsel for Kirk Ormand Davis, that the Status Conference
21 currently scheduled on March 27, 2024, be vacated.

22 This Stipulation is entered into for the following reasons:

23 1. On January 30, 2024, this Court entered a finding of incompetency as to the
24 defendant, and ordered that he be committed to the custody of the Attorney General for
25 treatment and return to competency. ECF No. 147. The Court set a first status conference for
26 February 27, 2024, which was later continued to March 27, 2024, to track the progress of the
defendant. ECF Nos. 147, 151.

1 2. Undersigned counsel have been informed by the Bureau of Prisons (BOP) that
2 Mr. Davis has been designated to a medical facility to begin the restoration process. However,
3 given the current backlog in the availability of mental health competency restoration beds, Mr.
4 Davis is not set to arrive to the medical facility until May 20, 2024. He remains housed at the
5 Nevada Southern Detention Center (NSDC). The Bureau of Prisons does not have a report as
6 to Mr. Davis' mental health status at this time.

7 3. Given the BOP's update on Mr. Davis' status, as set forth above, the parties
8 respectfully request that the first status conference scheduled for March 27, 2024 be vacated at
9 this time.

10 This is the first request to vacate the status conference.

11 DATED this 26th day of March, 2024.

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13 RENE L. VALLADARES
14 Federal Public Defender

 JASON M. FRIERSON
 United States Attorney

15 By /s/ Joy Chen

 By /s/ Daniel J. Cowhig

16 JOY CHEN
17 Assistant Federal Public Defender

 DANIEL J. COWHIG
 Assistant United States Attorney

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 KIRK ORMAND DAVIS,

7 Defendant.
8

Case No. 2:12-cr-00373-GMN-VCF

ORDER

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10 IT IS THEREFORE ORDERED that the status conference currently scheduled for
11 Wednesday, March 27, 2024 at 10:00 a.m., be vacated.

12 DATED this 27 day of March, 2024.

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15 UNITED STATES DISTRICT JUDGE
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